

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

BRANDON GARDNER,

Defendant.

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: SEALED ORDER  
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: 21 Cr. \_\_\_\_ (CM)  
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: **CRIM** 73  
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WHEREAS this Court has referred this matter to the Magistrate Judge on duty for the purpose of permitting Brandon Gardner, the defendant, to enter a guilty plea in the above-captioned matter;

WHEREAS the defendant is or shall be scheduled to enter a guilty plea before the Honorable Barbara C. Moses, United States Magistrate Judge, during the week of May 24, 2021;

WHEREAS the defendant has requested that his guilty plea be taken remotely by video conference or by telephone conference, if video conference is not reasonably available;

WHEREAS the ongoing COVID-19 pandemic necessitates that the proceeding take place remotely;

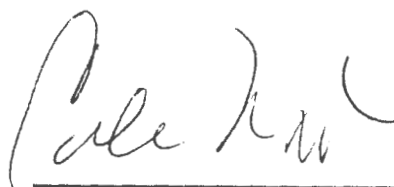
WHEREAS the Coronavirus Aid, Relief, and Economic Securities Act; findings made by the Judicial Conference of the United States; and the June 24, 2020 Amended Standing Order of Chief Judge Colleen McMahon of the Southern District of New York allow for guilty pleas to be taken by video conference, or telephone conference if videoconferencing is not reasonably available, subject to certain findings made by the District Judge assigned to the matter;

THE COURT HEREBY FINDS that defendant Brandon Gardner has consented to proceeding remotely and, for the reasons set forth in the parties' application dated May 7, 2021,

the plea proceeding cannot be further delayed without serious harm to the interests of justice and therefore may proceed remotely by telephone conference.

SO ORDERED.

Dated: New York, New York  
May 7, 2021

A handwritten signature in black ink, appearing to read "Colleen McMahon", is written above a horizontal line.

HONORABLE COLLEEN MCMAHON  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF NEW YORK